

REMARKS

Receipt of the Office Action of June 28, 2010 is gratefully acknowledged.

Claims 10 - 17 have been examined with the following results: claims 11, 13 and 15 are rejected under 35 USC 112, second paragraph as indefinite; and claims 10 - 17 are rejected under 35 USC 103(a) over Gelo.

To overcome the rejection under 35 USC 112, second paragraph, claims 11, 13 and 15 have been amended to render them more definite.

The rejection of claims 10 - 17 under 35 USC 103(a) is respectfully traversed.

The method disclosed by Gelo, comprises the step of removing the outer tube (12) being separated into two sections to expose the inner tube 10 (col. 2, l. 58 - 59). When the top part of the tube (12) has been removed, the inner tube is filled and sealed. After that, the top section of the outer tube is reattached to the lower section (col. 2, l. 63 - col. 3, l. 5; Fig. 2 A - 2 D).

In other words, the outer tube is first divided into two sub-tubes, then one of the sub-tubes is removed and thereafter the sub-tube is again joined to the other sub-tube to form a single tube once again. In contrast to this, the method according to the present invention involves first joining an auxiliary tube to the outer tube and later removing the auxiliary tube once again. Thus, the auxiliary tube does not become part of the final potentiometric sensor, whereas the two sub-tubes (12 a, 12 b) according to Gelo form an outer tube of the potentiometric sensor according to Fig. 2 D.

Hence, the Gelo reference does not disclose "after completing of the steps

of fusion joining the outer glass tube with the auxiliary glass tube in order to form a combined outer tube, and of producing a connection between the outer tube, composed of the outer glass tube and the auxiliary glass tube and the inner glass tube removing the remainder to the auxiliary glass tube from the outer tube". Consequently, and to further define the invention over Gelo, claim 10 has been amended and as such is believed to patentably distinguish over Gelo.

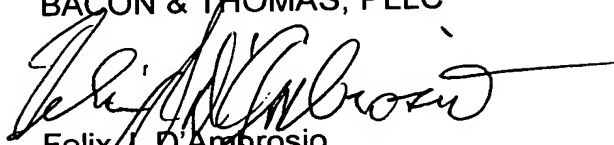
Furthermore Gelo does not disclose bringing the auxiliary glass tube into a contiguous relationship with the media side end and of the outer glass tube and fusion joining the outer glass tube with the auxiliary glass tube at said media side end of the outer glass tube in order to form combined, outer tube. Instead, Gelo discloses separating the outer tube into two sections and removing the section 12 a which is positioned at the end opposite to the media side end.

New claim 19 has been added. It parallels claim 10 but is more specific than claim 10 in that the "contiguous relationship" is with the "media-side end" of the outer glass tube. This is a more specific reference, The invention according to claim 10 as amended and claim 19 deals with the technical problem of joining the outer tube to the inner tube at the media side end of the potentiometric sensor. Gelo is silent about how this is to be achieved. The Gelo reference simply discloses with respect to Fig. 4 that the inner tube 10 and the outer tube 12 are first joined together as shown in Fig. 4 a (col. 3, l. 61 - 65). The reference does not disclose how this is achieved. Therefore, the method according to claims 10 and 19 cannot be considered as obvious over Gelo .

In view of the foregoing, reconsideration and reexamination are respectfully requested and claims 10 - 17 and 19 found allowable.

Date: September 28, 2010

Respectfully submitted,
BACON & THOMAS, PLLC

A handwritten signature in black ink, appearing to read 'Felix J. D'Ambrosio', with a long horizontal flourish extending to the right.

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